

William H. May, III, Counsel  
Patton-Henry for Kentucky Committee  
P.O. Box 964  
Frankfort, Kentucky, 40602

February 1, 1999

Honorable Donald L. Cox, Chairman  
Honorable George Russell, Executive Director  
Kentucky Registry of Election Finance  
140 Walnut Street  
Frankfort, Kentucky 40601

**Re: Request for Advisory Opinion**

Dear Messrs. Cox and Russell:

On January 25, 1999, the Patton-Henry for Kentucky Committee ("Committee") was established in conjunction with the filing of the Notification and Declaration of Paul E. Patton and Steve Henry for nomination to the offices of Governor and Lieutenant Governor. Also at this time the slate filed its Statement of Intent to Accept Transfers from the Election Campaign Fund and thereby subject itself to the campaign expenditure limitations established in KRS 121A.030. The following questions concern activity associated with the Committee, as well as activity associated with a slate of candidates that is qualified to accept transfers from the public fund pursuant to KRS 121A.060.

For purposes of the following questions, assume that the persons making the expenditures are sufficiently identified with the candidate that the expenditures may be deemed to have been made "in-cooperation" with the Patton-Henry for Kentucky Committee ("Supporters"), but also assume that the expenditures are not for items which expressly advocate the election or defeat of the Patton-Henry slate and further assume that the expenditures were not expressly "authorized or directed" by the Patton-Henry for Kentucky Committee, or an authorized agent ("Expenditures").

1. If a Supporter independently arranges and holds an organizational meeting for other volunteers in that Supporter's geographic region of the state and neither of the candidates on the slate, nor any member or agent of the Patton-Henry for Kentucky Committee, either attends or takes part in the preparation and organization of such an event and the Supporter incurs

Expenditures in connection with such a meeting, such as those associated with phone calls, refreshments, postage for invitations and rental for the meeting place, would such Expenditures by the Supporter constitute a "contribution" to the Committee if they exceed \$100? Even if they do not exceed \$100?

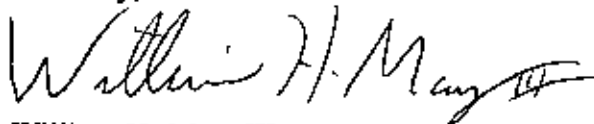
2. If a Supporter of the slate of candidates makes Expenditures for travel expenses, such as meals, lodging and long distance phone calls, while attending the event detailed in question number 1, are those Expenditures a "contribution" if they exceed \$100? Even if they do not exceed \$100?

3. If the answers to questions 1 and 2 above are that those expenditures are not "contributions," is the answer different if members of the Patton-Henry for Kentucky Committee or its agents, are in attendance at such an event?

4. If the answers to questions 1 and 2 above are that those Expenditures are not "contributions," is the answer different if the Supporter making the Expenditure is a member of an official steering committee, such as the Patton-Henry Board of Directors, (which committee has no role or part in discussing, planning or organizing expenditures of the Patton-Henry for Kentucky Committee).

We look forward to receiving your Advisory Opinion.

Sincerely,

A handwritten signature in cursive script, reading "William H. May, III". The signature is written in dark ink and is positioned above the printed name.

William H. May, III